

U.S. District Court
Northern District of Illinois
Eastern Division

FILED

MAY 19 2008 *mb*
MAY 19, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Maurice Mays

plaintiff

vs

City of Chicago "The City"
Chicago Police Officer Jason Clark
and Unnamed Chicago Police Officers

defendants

Case No. 08-cv-778

Judge Gettleman

Magistrate Judge Schenkier

Motion for Production of Court Records and Stay of Proceedings

pursuant to Rule 26(a)(1)(A) thru 26(b)(2)(B) and 34(a)(1) thru 34(a)(2) of the Federal Rules of Civil Procedures.

Plaintiff, Maurice Mays, through Pro Se submits this memorandum in support of the above entitled Motion:

1. On Feb 5, 2008 plaintiff re-filed a three count complaint under 1983 U.S.C. alleging Civil Rights violation by the above defendants. Due to filing fee issues, plaintiff's initial complaint that he filed pertaining to counts I, II, and III were dismissed before plaintiff could move on any other issues (see case No. 107 cv 345). Now and at no time before has plaintiff ever been armed with any of the specific or necessary evidence to conclude or directly support any of the claims in his complaint. Such evidence include, but not limited to, all of the court records from discovery in the form of documents, police records, and any U.S. currency pertaining to alleged pre-recorded U.S. currency involved in Cook County Criminal case No. 01cr305-02 in which CPD officer Jason Clark submitted to the court in response to both criminal defendant's motion for discovery (first discovery and answer was 1-03-02, and second discovery and answer was concluded on 3-2-04). Due to the above mentioned facts, it is at this time that plaintiff through the options afforded to him by Rule 26(a)(1)(A) and 34(a)(1) of Federal Rules of Civil Procedures, moves that this court order the Clerk of Cook County Criminal Division at 2650 s. California Chicago, Ill 60608 and/or criminal defendant attorney Anderson J. Ward of 21470 Main st. Matteson, Ill 60443 relinquish to plaintiff the above mentioned court record evidence from Cook County case No. 01cr30511-02.

2. On or about May 8, 2008 defendant for case No. 08-cv-778 Filed a motion to dismiss in its entirety based on jurisdictional/time limitation issues.

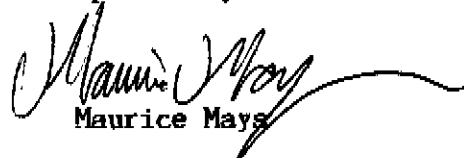
All of the aforementioned requested court record evidence is key to plaintiff's claim(s) and will be sufficiently essential to plaintiff's answer to defendant's motion to dismiss. Due to the absence from plaintiff of the said requested court record evidence, it is currently impossible to answer said defendant's motion to dismiss. It is at this time that plaintiff motion for this court to grant him a delay or stay of proceedings until 15 to 20 days after plaintiff receives the said requested court records.

In Conclusion

Plaintiff prays that the Honorable Judge Gettleman grants plaintiff's Motion for Production of Court Records and Stay of Proceedings.

Sandstone Federal Correctional Institute
Box 1000 Sandstone, Mn 55072 H-unit

Respectfully Submitted


Maurice Mays

I, Maurice Mays, swear under Penalty of Perjury that I served a copy of the attached document on City of Chicago Dept. of Law 30 n. LaSalle St. 1020 Chicago, Ill 60602 by placing it in the Sandstone F.C.I. H-unit Mail slot on May 13, 2008.

A handwritten signature in cursive script, appearing to read "Maurice Mays", is written over a horizontal line.